



PATENT
A38

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Carl A. Waldspurger, et al.	GROUP ART UNIT:	2127
U.S.S.N.:	10/750,919	EXAMINER:	Not Yet Assigned
FILING DATE:	31 December 2003		
TITLE:	<i>Generating and Using Checkpoints in a Virtual Computer System</i>		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 5 August 2004.

Mail Stop Missing Parts
Commissioner for Patents
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Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF A NONPROVISIONAL APPLICATION**

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed 5 May 2004. A Declaration and Power of Attorney executed by inventors Carl A. Waldspurger, Michael Nelson, Daniel J. Scales and Pratap Subrahmanyam accompanies this Response, along with a Petition for Extension of Time Under 37 CFR 1.136(a) (1 month).


Applicant: Carl A. Waldspurger et al.
U.S.S.N. 10/750,919
Filing Date: 31 December 2003
Atty. Docket No.: A38

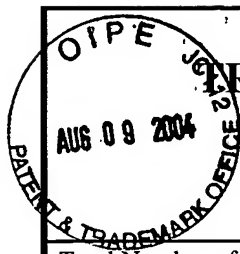
It is requested that all fees occasioned by this submission be charged to Deposit Account
No. 50-2652.

In the event the Examiner deems personal contact desirable in disposition of this case, the
Examiner is invited to call the undersigned attorney at (650) 384-4810.

Respectfully submitted,

Dated: 5 August 2004


Darryl A. Smith, Esq. (Reg. No. 37,723)
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TRANSMITTAL FORM

Application No.:		10/750,919
Filing Date:		31 December 2003
First Named Inventor:		Carl A. Waldspurger
Group Art Unit		2127
Examiner:		Not Yet Assigned
Total Number of Pages in this Submission:	16	Docket No.
		A38

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Authorizing the Commissioner to charge Deposit Account No. 50-2652 (in duplicate)	<input checked="" type="checkbox"/> Response to Notice to File Missing Parts of Nonprovisional Application	<input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)]
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Decl.	<input checked="" type="checkbox"/> Declaration/Power of Attorney	<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Extension of Time Request for 1 Months	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Nonprovisional Application	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Revocation of Power of Attorney	<input checked="" type="checkbox"/> Certificate of First Class Mailing
<input checked="" type="checkbox"/> Copy of Assignment	<input type="checkbox"/> Issue Fee Payment on USPTO Form PTOL-85B, "Part B—Issue Fee Transmittal"	<input type="checkbox"/> Certificate of Express Mail Mailing
<input checked="" type="checkbox"/> Recordation Cover Sheet	<input type="checkbox"/> Formal Drawings, labeled Letter/Transmittal to Official Draftsperson	<input checked="" type="checkbox"/> Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review"	<input type="checkbox"/> Additional Enclosures:
<input type="checkbox"/> Status Inquiry		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

<u>5 August 2004</u> Date	<u>Darryl A. Smith</u> Darryl A. Smith, Esq. (Reg. No. 37,723) VMware, Inc. 3145 Porter Drive Palo Alto, CA 94304
Tel: (650) 384-4810 Fax: (650) 475-5005	

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

<u>5 August 2004</u> Date	<u>Darryl A. Smith</u> Signature
Darryl A. Smith Typed or printed name of person signing certificate	

ITW/H



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/750,919	12/31/2003	Carl A. Waldspurger	A38

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CONFIRMATION NO. 1896

FORMALITIES LETTER



OC000000012529165

Date Mailed: 05/05/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

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*A copy of this notice **MUST** be returned with the reply.*

AG

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

